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**SENT VIA FAX TRANSMISSION  
TO (202) 219-3923 AND FIRST CLASS MAIL**

September 20, 2004

Jeff S. Jordan, Supervisory Attorney  
Complaints, Examination & Legal Administration  
FEDERAL ELECTION COMMISSION  
999 East Street, NW  
Washington, DC 20463

Re: **Campaign Legal Center v. Plumbers and Gasfitters' Local 12**  
**MUR # 5523**

2004 SEP 21 A 10:08  
RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Dear Mr. Jordan:

As you are aware from our telephone conversation on Friday, September 17, 2004, this office represents Plumbers and Gasfitters' Local 12 in connection with the above-captioned complaint. In this regard, attached please find an executed Statement of Designation of Counsel. The purpose of this correspondence is to request that this matter be referred to your agency's Alternative Dispute Resolution Office for processing.

Plumbers and Gasfitters' Local 12 is a labor organization with approximately 1,200 members. Although their website is open to the public, it is primarily used by its members as a means of being informed of activities within the Local Union. The Union cannot determine the exact date that the political material that is the subject of the instant complaint was first posted on the website. However, upon being served with the Complaint, the political material was immediately removed.

The Union can only retrieve statistical information regarding the website for a three-month period. Between June 8, 2004 and September 9, 2004, the Union was able to track 18 pages that were visited on its website. During that period, there were a total of 3,588 pages visited on the website, of which 64 concerned the political endorsements. This represented only 1.78% of all traffic on the website. It should be noted that not all of the visits were individuals. Some are search engines indexing programs. In addition, if the same entity visits the website on multiple occasions, each individual visit is recorded.

Finally, it is impossible to determine how many of the individuals who visited the web page labeled "Political Endorsements" were union members. Moreover, the Union has no information concerning whether or not any of the individuals who visited the website actually sent donations in support of Presidential candidate Kerry.

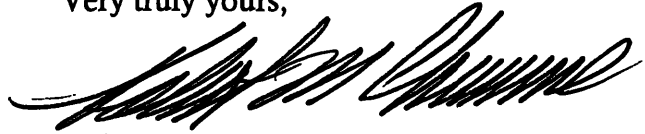
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It is the hope of Plumbers and Gasfitters' Local 12 that this matter can be handled amicably through the Alternative Dispute Resolution mechanism.

Thank you for your consideration of this request.

Very truly yours,



Robert M. Cheverie, Esq.

RMC/kmd

Enclosure

cc: Kevin L. Cotter, Business Manager  
PLUMBERS AND GASFITTERS LOCAL 12

RMC Plumbers Local 12  
LTR Jeff Jordan Federal Elections Commission Re Complaint against Local 12 9-20-04

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# STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each respondent.

MUR 5523

NAME OF COUNSEL: ROBERT CHEVERIE

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TELEPHONE: (860.) 290-9610

FAX: (860.) 290-9611

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

KEVIN L. COTTER

Print Name

SEPT. 17, 2004  
Date

  
Signature

BUSINESS MANAGER  
Title

RESPONDENT'S NAME: KEVIN L. COTTER, BUSINESS MANAGER.

ADDRESS: PLUMBERS UNION LOCAL 12

1240 MASSACHUSETTS AVENUE

BOSTON, MA 02125

TELEPHONE: HOME( ... )

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